

REMARKS

This responds to the Office Action mailed on January 17, 2008.

Claims 1, 31, 35, 41 and 44 are amended, no claims are canceled, and no claims are added; as a result, claims 1-52 are now pending in this application.

§112 Rejection of the Claims

Claims 1-52 were rejected under 35 U.S.C. § 112, second paragraph, for indefiniteness. Claims 1, 31 and 41 have been amended to clarify that the vinyl functionalities belong to the cross-linking agent.

Claims 31, 35, 41 and 44 have been amended from “high boiling point solvent” to “solvent having a boiling point equal to or higher than the PFSI solvent”, which is supported by the specification.

Common Ownership

Applicants assert that U.S. Patent No. 6,969,563 (‘563 patent) and this patent application were owned by, or subject to an obligation of assignment to, the same person (i.e., Angstrom Power) at the time that the invention of this patent application was made. According to 35 USC § 103(c)(1):

Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person.

(emphasis added.) The ‘563 patent was filed before the present application, but did not publish or issue before the filing of the present application. Accordingly, Applicants respectfully request withdrawal of the 35 USC § 103(a) basis of rejection of claims 1-52 insofar as it relies upon the ‘563 patent.

§103 Rejection of the Claims

Claims 1-4, 9-14, 19-23, 28-34 and 41-43 were rejected under 35 U.S.C. § 103(a) as being unpatentable over McLean (U.S. Patent No. 6,969,563) in combination with JP ‘291.

Claims 5, 15, 24, 38 and 47 were rejected under 35 U.S.C. § 103(a) as being unpatentable over McLean (U.S. Patent No. 6,969,563) in combination with JP '291 as applied above further in view of Singleton (U.S. Patent No. 5,425,687).

Claims 8, 18, 27, 36, 37, 45 and 46 were rejected under 35 U.S.C. § 103(a) as being unpatentable over McLean (U.S. Patent No. 6,969,563) in combination with JP '291 as applied to claim 1 above and further in view of Singleton (U.S. Patent No. 5,425,687) and Kiefer (2005/0147859).

Claims 6, 7, 16, 17, 25, 26, 35, 39, 40, 44 and 48-53 were rejected under 35 U.S.C. § 103(a) as being unpatentable over McLean (U.S. Patent No. 6,969,563) in combination with JP '291 as applied above further in combination with Kang et al. (U.S. Patent No. 6,727,024).

As stated above, the '563 patent is not a valid prior art reference and therefore Applicant respectfully requests that the Examiner remove the obviousness rejections.

CONCLUSION

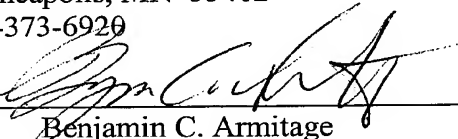
Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at 612-373-6920 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Date: April 4, 2008

By 
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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 4th day of April 2008.

PATRICIA A. HULTMAN

Name



Signature